Dear Dick, 12/30/91

At supper last night at Hana's I had a second transitory eschemia, misspelled. I recognized it by how I felt, Lil by how I looked. This time I sat still until it passed off and I've been OK since. Even got almost 7 hours sleep last night. I decided to reduce my morning walking to what I can do in the lab building when I get there early for the blood test and then will go for the physical therapy, which has tired me. I do not want to get too tired. I've also delayed going out for the papers. As I sat and just thought instead of reading with considerable satisfaction my mind returned to a NYTimes story I was sent and got Sat. It is not easy to copy but the part that is important to me was easy to copy. It is enclosed and if I wrote more than this page, will be on the other side of that.

I am in the very satisfying position or having said early on, as soon as I knew that Stone was basing his movie on Garrison's book - and I said it to him - in different words precisely what I've highlighted in the one paragraph I've marked. The Times quotes "several studio chiefs" as saying, in different words, exactly what I told Stone and exactly what I wrote him in my second letter to him the day after his very wrong self-defense of what I launched through Lardner appeared in the Post.

I also drew a line between fiction and what he said would be non-fiction when he claimed a first-amendment right not to be criticized for what he was doing until it appeared and was then evaluated. He had said enough so this was not the case from his bases for his movie. He represented as truthful, the words the executves use and is only one that I applied to his exploitation and commercialization. I used his words, "history" and "who" killed JFK, "why" and "how."

My point in this is not to represent myself as Merlin, remembering the future, a high compliment once paid me by a temporary chief counsel of the former House Select Committee on Assassinations who was there when I warned his eminent and prominent predecessor, Dick Sprague, exactly what was going to happen to him if he proceeded as he disclosed to me that he would the first time we met. Nor is it an "I told you so."

Rather is it an indictment of the publishing industry that duplicates my early history with the first Whitewash, the first book on the Warren Commission. It would have been a runaway best seller if brought out by a publisher which the incompetent Ivan Obolensky had planned to do by 3/15/65 before he broke the contract.

I had more than a hundred rejections internationally <u>for the first book on the subject</u>, significant as the subject was then and since. The only publisher who expressed any excitement over it was Pocket Books. The editor who read it could not stop and read it overnight although he was ill. He told me that with that book, my background, their public-relations know-how it would be "another Green Felt Jungle" and that I would be one of the best- known private persons in the country in 1964. Green Felt Jungle was the best-selling book of 1964. As I think I told you, it was approved all the way to the top. There Boris

Shimkin killed it. The edi~~ot~~tor, Eugene Prakapis, was honest enough to tell me the reason. It was a good reason. I've never used it against them. They had just published a fraudulent book, Calories Don't Count, there had been I think six indictments in federal district court in Brooklyn, and with regard to his unindicted self he saw Whitewash as "a red flag before the charging bull."He did not want to be added to the indictments and he had at the least a chance of that happening if he had published Whitewash. They tried to get Doubleday to publish it, in my presence. Doubleday's rejection also was honest:"Our decision was not editorial and not easily arrived at." They had a high-level conference on it. For the rest, there was not a single editorial rejection or criticism. They were just afraid and they were afraid when they could see a very profitable book, too.

When I started what has already been a success, exposing Stone and what he was up to, Lardner's story got great national attention. But he did not get any call from any agent or publisher and neither did I, and he credited me as his source.

I have not stopped to try to analyze this but in thinking of it as I write you now I believe it was the same fear and more, fear of Time-Warner and their wealth and influence and power in addition to fear of government reaction against the book.

My mind goes back to a very prescient book I read before you were born, Road of Ages, by Robert ~~XXXXXX~~ Nathan. You can see if I recall that far back with all the books I've read that it impressed me. In telling of the forced emigration of the Jews of the world to a remote part of Siberia, and this about the time Hitler had just begun to attract attention, he postulated that a Jew is primarily something else, a banker, a union organizer, etc.

Sometimes publishers are something other than publishers, on some issues and subjects.

Then they do not meet their obligations, to our society, ~~the~~ to the role in ~~it~~ in which they cast themselves and to their stockholders, who are entitled to expect the business in which they have invested to make as much money for them as it can.

I published a very limited edition of Whitewash 8/65 and for general distribution 5/7/66. The only real attention it got before the annual American Booksellers convention was, along with Epstein's, then not yet published, ~~was~~ a Post story. At the ABA convention I can't begin to remember all the cowardly publishers who praised me for doing what they had feared doing, or the great number who admitted they'd have made quite a bit of profit from it. Quite a few. Yet not one asked me about a sequel or a second book. This told me they saw me as cursed.

The only other one with what it regarded and had a right to regard as a good reason for rejecting the book. which you may not remember, was Parallax, then quartered with Grove. When she was reading Oswald in New Orleans Ann Weingarten (?) told me she or they had used a former Newsweek correspondent name Newman as a reader and that he had criticized it as inaccurate and bad. Newman then had one of the worst of the many bad assassination books partly or completely written, of a non-existing red plot based on Oswald getting messages

by radio from Castro on a very ordinary, very cheap radio he had gotten ~~the~~ in the USSR, a radio that was like all other household radios except that it was not as good. Any radio would have picked up broadcasts from Cuba on ~~the am band,~~ in New Orleans, but Newman had a thing about this particular one because it was made in the USSR. He built a book around it - and the damned thing was broken, didn't work. FBI report source

So this is how innocent Parallax could have followed The Autobiography of Malcolm X this another best-seller and didn't.

How I am convinced that it any publisher had spoken to me when seven months ago they had reason to at least suspect that Stone was producing a very bad movie that could then have been aborted before birth, the book I then visualized as Hoax: ~~the~~ Oliver Stone's Mardi Gras Solution to the JFK Assassination could have been another best-seller and would have had a rare history that would have given it a second life.

I am not disturbed by this and while I am and have been disappointed I note that I had the best night's sleep in months last night and that when I suppose for most people the experience of the transitory ischemia would have been enough to interfere with sleep.

Having lived the life I've lead I've learned and I think adjusted to the realities of my life. Not quite Nichevo! And I do not begin any project anticipating its failure. Not one would have been. But as the past is prologue when it repeats itself I've already lived through it and survived it.

The latest report on how what could have been expected to be the movie with the prospect of being the one with the best attendance record the weekend of its appearance is that it was only fifth, had an eveluated by the experts as only "soso." (Tied with "Beauty and the Beast.")

It also did get four nominations for the December Hollywood candidates for honors.

If the copies of reviews I've gotten from a few areas ~~is~~ are typical, and I have no way of knowing, it is severely criticized, even condemned, more than praised.

I have the satisfaction of knowing that in the course of my main objective, making a record for history, enfeebled at 78 I did it.

I hope I've succeeded in a second objective, discouraging the whores and commercializers and exploiters and indicating to those who put up the money from investing large sums like Warner's $40 million in such projects that they should check with great care.

Now I'll go get the papers! With perhaps more satisfaction than disappointment.

Best, Harold

But first I add that whether from instinct or reasoning you appear to have estimated publishers on this book or subject correctly. If you had not, one would have been in touch with either Lardner or me. No magazine has, either.

...constant- ...h, Tchai- ...actions that took place between Tchaikovsky's life and art.

Hollywood Wonders About the Message of 'J.F.K.'

Continued From Page B1

sage of a film maker like Oliver Stone?

Warner Brothers is plainly delighted at Mr. Stone's promotion of the movie in the press, which he also attacks for accepting the report of the Warren Commission, the official investigation that concluded that Oswald acted on his own in the assassination. On the other hand, the studio was caught off guard by the firestorm over the film.

Robert A. Daly, the chairman of Warner Brothers, and Terry Semel, the president, did not respond to phone calls about the studio's responsibilities. Neither did John Schulman, the senior vice president and general counsel. But Mr. Semel told The Los Angeles Times before the film was released that when Mr. Stone made his proposal, "My immediate reaction was 'Wow! What a powerful and great idea for a movie.'"

Over the weekend, the film grossed $5.1 million, a bit disappointing, according to exhibitors. Preliminary figures, released by the Exhibitor Relations Company, which monitors film releases for theater chains, said "J. F. K." was tied for fifth with Disney's "Beauty and the Beast." The top box-office films were Steven Spielberg's "Hook," followed by "The Father of the Bride," "The Last Boy Scout," and "Star Trek VI." Warner Brothers officials said that the three-hour length of the film diminished the number of shows at movie houses, and that audience exit polls had proved highly favorable.

Time Warner said the issue of a studio's responsibility was up to Warner Brothers. "Our operating divisions have total creative freedom," said Tod Hullin, the senior vice president for communications at Time Warner, in a statement. "This movie is a creative product and we do not interfere or comment on the results of the creative process."

'A Lot of Debate'

And Robert G. Friedman, the president of Warner Brothers advertising and publicity, said in a statement that "controversial films raise a lot of

fact, like "Gandhi" or "Lawrence of Arabia" or "All the President's Men," have altered fact in shaping a coherent drama. But the historical basis of the story remained intact. And few major films have, like "J. F. K.," involved such a divergence of opinion from the official record.

Dawn Steel, a former president of Columbia Pictures, said: "An artist paints a picture the way he or she sees it. Film makers are artists. But when it comes to historical accuracy there may be a moral question here. I don't know what the answer to this is. We're making fiction here, we're not making a documentary. A movie can't be judged by the same standards that journalists judge a newspaper story. It's Oliver Stone's vision. It's called freedom of speech."

Frank Price, a motion picture executive who was also formerly a president of Columbia Pictures, said: "I don't think you as a studio have to be in agreement with the statement the artist is making. You're just backing the artist. But if a statement is one you find so unacceptable, that's where the dividing line comes. Here you're dealing with a respected film maker and you certainly give him every benefit of the doubt. Let's face it; everyone know's it's only a movie. He has actors and there's a premise. If you start to censor people's political point of view it's a real swamp."

At issue: How much a studio should control a film, if at all.

In defense of Mr. Stone, Bert Fields, one of the most powerful entertainment lawyers in Los Angeles, whose law firm represents the director, said: "If you are doing what purports to be a book or film about history, it's hardly rare for an author or film maker to take a position. Look at 'Richard III.' There was a violent controversy between those who believed Richard was a tyrant who murdered his two nephews. And those who think he was a wonderful king. Shakespeare represented one view, the view that was acceptable to his Queen. Nobody faulted Shakespeare. One has a right to take a view and present it as fact."

But several studio chiefs, who would speak only on condition of anonymity, said they were disturbed about the way Warner was dealing with the film. "There is a difference between Oliver Stone presenting this as truth, and the studio presenting this as truth; it's a fine line but it's there and the studio has made no differentiation," said the head of one major studio. "In this case they're not presenting it as Oliver Stone's version of the truth, as one man daring to tell his version, or something like that. They're saying, this movie is the truth. It's not irresponsible to make the movie, it's irresponsible to say, this is the truth."

Because the film deals with one of the most traumatic moments of United States history — the Kennedy assassination — some producers say the studio bears a special responsibility in releasing a movie that makes such sweeping allegations.

"The First Amendment, which is often cited in these circumstances, has nothing to do with the relationship of the studio and the film maker," said Thomas Baer, a movie producer and formerly a United States Attorney in Manhattan who was appointed by Robert F. Kennedy, then Attorney General. "It relates only to the relationship between the government and individuals. Accordingly, there is greater opportunity for studios to control film makers than there is for the government to control citizens. In this particular instance, since a living family's nightmare and a nation's torment are perceived by one person's skewed imagination, I would have hoped more control would have been exercised."

Statement of the Studio

Warner Brothers strongly defended its decision to produce the film. In its statement, the studio said in part:

"Warner Brothers takes great pride in its history of presenting serious issue-oriented drama over the years, including 'All the President's Men,' 'The Killing Fields,' 'Guilty by Suspicion' and the upcoming 'Malcolm X.'

"We accept that controversial films raise a lot of questions and stimulate a lot of debate. We believe debate is healthy. One of the most important foundations of our country is its defense of the right to free speech." Warner Brothers added that the movie "is a suspense drama that will cause audiences everywhere to ask fundamental questions about American institutions and the role that private and public citizens play in history.

"We endorse and will always continue to endorse the right of responsible film makers to make their ideas heard and we are proud to be part of such an outstanding motion picture."

What are the artistic and ethical implications for Warner Brothers?